

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL ACTION
	:	
v.	:	NO. 11-500-02
	:	
SAMUEL DIAZ-RIVERA a/k/a	:	
DELVIS DE LA ROSA-MARTINEZ	:	

ORDER

AND NOW, this 4th day of September, 2013, upon consideration of the Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside or Correct Sentence by a Person in Federal Custody (Document No. 48), the government's response (Document No. 54) and the defendant's reply (Document No. 55), it is **ORDERED** that the motion is **DENIED**.

IT IS FURTHER ORDERED that there is no probable cause to issue a certificate of appealability.

/s/Timothy J. Savage
TIMOTHY J. SAVAGE, J.